

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EUGENE VOLOKH, RUMBLE CANADA
INC., and LOCALS TECHNOLOGY INC.,

Plaintiffs,

v.

LETITIA JAMES, in her official capacity as
New York Attorney General,

Defendant.

Civil Action No.: 1:22-cv-10195-ALC

**NOTICE OF PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

PLEASE TAKE NOTICE THAT Plaintiffs Eugene Volokh, Rumble Canada Inc., and Locals Technology Inc. respectfully move, under Federal Rule of Civil Procedure 65(a), for an order preliminarily enjoining Defendant Letitia James from enforcing New York General Business Law § 394-ccc during the pendency of this action, and for such other and further relief as the Court deems just and proper. In support of this motion, Plaintiffs rely on the following documents:

- (1) Memorandum of Law in Support of Plaintiffs' Motion for a Preliminary Injunction;
- (2) Declaration of Darpana Sheth in Support of Plaintiffs' Motion for a Preliminary Injunction, and accompanying exhibits; and
- (3) Verified Complaint for Declaratory and Injunctive Relief.

Plaintiffs respectfully request oral argument on this motion before the Honorable Andrew L. Carter, Jr., at the United States Courthouse, 40 Foley Square, New York, New York 10007.

Respectfully Submitted,

Date: December 6, 2022

/s/ Darpana M. Seth

DARPANA M. SHETH
(New York Bar No. 4287918)
DANIEL M. ORTNER*
(California State Bar No. 329866)
JAMES M. DIAZ*
(Vermont Bar No. 5014)
DARPANA M. SHETH
(New York Bar No. 4287918)
FOUNDATION FOR INDIVIDUAL RIGHTS AND
EXPRESSION
510 Walnut St., Suite 1250
Philadelphia, PA 19106
Telephone: (215) 717-3473
daniel.ortner@thefire.org
jay.diaz@thefire.org
darpana.sheth@thefire.org

BARRY N. COVERT**
(N.Y. Bar No. 27118)
LIPSITZ GREEN SCIME CAMBRIA LLP
42 Delaware Ave., Suite 120
Buffalo, NY 14202
Tel: (716) 849-1333 x 365
bcovert@lglaw.com

Attorneys for Plaintiff

**Pro Hac Vice* Motions Forthcoming
** S.D.N.Y. Admission Pending

CERTIFICATE OF SERVICE

Plaintiff's counsel confirms that a true and correct copy of the foregoing was served via the Court's electronic filing system on this day, December 6, 2022. Notice of this filing will be sent by operation of the Court's electronic filing system

DATED: December 6, 2022

Respectfully submitted,

/s/ Darpana Sheth

Darpana Sheth
(New York Bar No. 4287918)
DANIEL M. ORTNER*
(California State Bar No. 329866)
JAMES M. DIAZ*
(Vermont Bar No. 5014)
FOUNDATION FOR INDIVIDUAL RIGHTS AND
EXPRESSION
510 Walnut Street, Suite 1250
Philadelphia, PA 19106
Telephone: (215) 717-3473
darpana.sheth@thefire.org
daniel.ortner@thefire.org
jay.diaz@thefire.org

BARRY N. COVERT**
(N.Y. Bar No. 271118)
LIPSITZ GREEN SCIME CAMBRIA LLP
42 Delaware Ave Suite 120
Buffalo, NY 14202
Tel: 716 849 1333 x 365
bcovert@lglaw.com

Attorneys for Plaintiff

**Pro Hac Vice Motions Forthcoming*

** S.D.N.Y. Admission Pending